

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE; NATIONAL FOOTBALL LEAGUE
PLAYERS' CONCUSSION INJURY
LITIGATION

Kevin Turner and Shawn Wooden, on behalf of
themselves and others similarly situated,

Plaintiffs,

v.

National Football League and NFL Properties
LLC, successor-in-interest to NFL Properties,
Inc.,

Defendants.

THIS DOCUMENT RELATES TO: ALL
ACTIONS

Case No. 2:12-md-02323-AB

MDL No. 2323

The Honorable Anita B. Brody

**RD LEGAL FUNDING, LLC, RD LEGAL
FINANCE, LLC, RD LEGAL FUNDING
PARTNERS, LP, AND RONI
DERSOVITZ'S MOTION FOR STAY
PENDING APPEAL**

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FUNDING PARTNERS, LP; and RONI
DERSOVITZ

RD Legal Funding Partners, LP, RD Legal Finance, LLC (“FINCO”), RD Legal Funding, LLC, and Roni Dersovitz (collectively, “RD Legal”) respectfully move the Court to enter an Order: (1) staying this Court’s orders issued on December 8, 2017 (ECF No. 9517) and February 20, 2018 (ECF No. 9749) (collectively, the “Orders”) pending their appeals of those Orders (ECF Nos. 9559, 9755); or, alternatively, should the request for a stay be denied, (2) temporarily staying the Orders pending RD Legal’s application for a stay to the Third Circuit.

RD Legal also requests that the stay be issued without the posting of a bond, as there is no risk here that funds will be unavailable to pay the NFL Players who contracted with FINCO should the Orders be affirmed by the Third Circuit. *See, e.g., Munoz v. City of Philadelphia*, 537 F. Supp. 2d 749, 752 (E.D. Pa. 2008) (staying judgment without the filing of a supersedeas bond because “there is no basis to think that prompt payment will not take place should the judgment be sustained on appeal”); *Fed. Prescription Serv., Inc. v. Am. Pharm. Ass’n*, 636 F.2d 755, 760 (D.C. Cir. 1980) (explaining district court’s discretion to forego bond requirement, where the bond will not serve to further its purpose “to secure the appellee from loss” during the pendency of the appeal).

This Motion is based on Federal Rule of Civil Procedure 62(d) and *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982), the authorities and reasons set forth in the accompanying memorandum of law, and such other further evidence and arguments as may hereafter be adduced.

To prevent the distribution of a limited amount of the settlement proceeds due to the NFL Players who contracted with FINCO—and thus the dissipation of funds that are subject to the agreements at issue on appeal—RD Legal also asks that the Court issue a ruling on an expedited basis.

Dated this 7th day of March, 2018. Respectfully submitted,

/s/ Michael D. Roth

BOIES SCHILLER FLEXNER LLP
MICHAEL D. ROTH

CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the foregoing Motion for Stay Pending Appeal was served electronically via the Court's electronic filing system on the date below upon all counsel of record in this matter.

Dated: March 7, 2018

Respectfully submitted,

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